

## REMARKS

Claims 1-16 are in the case. Claims 9-16 have been withdrawn. Accordingly, claims 1-8 are at issue.

Claim 8, indicated to be allowable if amended to independent form to include all of the limitations of base claim 5, has been so amended. Accordingly, claim 8 is believed to be in allowable form and the objection thereto should be withdrawn.

Claim 1 has been amended to clarify that the unoccupied tube slot in each header is one of the previously recited tube slots which face each other in each of the headers. In view of this clarifying amendment, it is respectfully submitted that claim 1 and its dependent claims now overcome the rejections based on Kokubunji et al US 2002/0040776 A1 and Nishishita EP 0859209 A1. Neither of these references show or suggest tube slots that face each other as recited in claim 1 and its dependent claims 2-4. Watanabe JP 10141875 adds nothing in this regard. In view of the amendment to claim 1, the rejections of claims 1, 2, 3 and 4 should be withdrawn.

Claim 5 has been amended to characterize the weep holes as aligned and facing each other. For the same reasons discussed above in connection with claim 1, the rejection of claims 5 and 7 based on Kokubunji et al and/or Nishishita et al in view of Watanabe are believed to be overcome and should be withdrawn. None of the references suggest weep holes that face

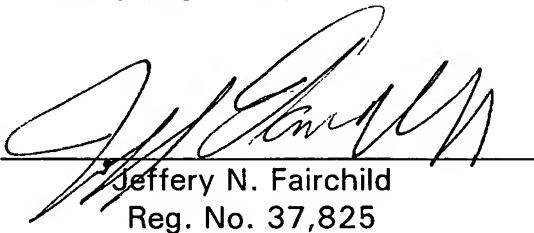
each other in the headers as recited in amended claim 5 and its dependent claims 6-7. In this regard, we note that this applies equally well to Rawley et al GB 2377268 which also fails to show or suggest weep holes that face each other in the headers. In view of the amendment to claim 5, it is believed that all of the rejections of claims 5-7 have been overcome and should be withdrawn.

In view of the foregoing, Applicants respectfully request reconsideration of all of the rejections of claims 1, 2, 4-5 and 7 and the objections to claims 3, 6 and 8 are respectfully requested and allowance of the case.

Respectfully submitted,

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